

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 1:30 P.M. Present: Honorable Thomas A. Harris, Acting Presiding Justice; Honorable Rebecca A. Wiseman, Associate Justice; Honorable Gene M. Gomes, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Jill Rivera, Assistant Deputy Clerk.

F039432 People v. Alves

Cause called and argued by Charles M. Bonneau, Esq., counsel for appellant. William Kim, Esq., Deputy Attorney General, counsel for respondent waived oral argument.

Cause ordered submitted.

Court recessed until Friday, February 7, 2003 at 3:00 P.M.

At this point Dibiaso, J. joins the bench as Acting Presiding Justice, replacing Wiseman, J.

F039084 Daubenspeck et al. v. United Artists Theatre Circuit, Inc.

Cause called and argued by David K. Cohn, Esq., counsel for appellant and by Alex Cherin, Esq., counsel for respondent.

Cause ordered submitted.

Court recessed until Monday, February 10, 2003 at 10:00 A.M.

F039646 People v. Westbrook

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F037944 People v. Perez

The judgment is affirmed. Buckley, J.

We concur: Dibiaso, Acting P.J.; Wiseman, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

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F039996 People v. Moore

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F039996 People v. Moore

The judgment is affirmed with sentence modifications.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F037971 People v. Delomba

The judgment is affirmed. Harris, Acting P.J.

I concur: Gomes, J.

I dissent: (See dissenting opinion) Cornell, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F039418 People v. Bristow

The judgment is affirmed with modifications. Harris, J.

We concur: Dibiaso, Acting P.J.; Gomes, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F039820 People v. Hanawalt

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

F039820 Peole v. Hanawalt

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

IN THE

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F041801 M.S., Sr., v. Superior Court of Stanislaus Co.; Stanislaus Co. Community Services Agency

The petition for extraordinary writ is denied. This petition is final forthwith as to this court.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F039800 County of Fresno v. Gunther

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

F039800 County of Fresno v. Gunther

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F039466 People v. Monroy

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

F038983 People v. Singh

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

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F038983 People v. Singh

The case is remanded to the trial court to strike its sentence on count three with instructions to impose a consecutive term on count three of one third the midterm for violating section 288, subdivision (a). The trial court shall prepare an amended abstract of judgment which it shall forward to the Department of Corrections. In all other respects, the judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F040487 In re Deandre H., a Minor

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F040487 In re Deandre H., a Minor

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F041820 H. H. v. The Superior Court of Stanislaus County; Stanislaus County
Community Services Agency**

The petition for extraordinary writ is denied. Etc.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F040681 In re Danny M., a Minor

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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- F040681** **In re Danny M., a Minor**
 The judgment is affirmed.
 By the Court.
 [NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F039525** **People v. Fonseca**
 Appellant's petition for rehearing filed herein is denied.